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PATENT
Atty. Docket No. 29997/035B

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s): Malackowski et al.

Serial No.: 10/677,874

Filed: October 2, 2003

For: SURGERY SYSTEM

Group Art Unit: 3762

Examiner: Unknown

Certificate of Mailing

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January 20, 2004

J. William Frank, III
Registration No. 25,626
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The documents listed on the enclosed PTO Form-1449 are submitted pursuant to 37 CFR §§ 1.56, 1.97, and 1.98. Copies of the documents are enclosed as necessary.

The patents, publications and other documents listed on the enclosed PTO Form-1449's are called to the attention of the examiner pursuant to 37 CFR §§ 1.56, 1.97, and 1.98. In accordance with 37 CFR §1.98(d), copies of the documents listed on the enclosed PTO Form-1449's are not provided because documents were previously cited by, or submitted to, the Patent Office in the following prior application that applicants rely upon for an earlier filing date under 35 U.S.C. §120:

Applicants:	Malackowski et al.
Serial No.:	09/764,609
Filed:	January 17, 2001
Title:	SURGERY SYSTEM
Status:	Pending

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JL/

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action with the application. In accordance with 37 CFR §1.97(b), no certification or fee is required.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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January 20, 2004

By:
J. William Frank, III
Reg. No: 25,626

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Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

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29997/035B	10/677,874
Filing Date:	Group Art Unit
October 2, 2003	3762
Applicant(s): Malackowski et al.	

U.S. PATENT DOCUMENTS

*Examiner Initials		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	Re 35,816	06-02-98	Schulz	356	376	
	A2	4,323,459	04-06-82	Quinlan	210	700	
	A3	4,396,945	08-02-83	DiMatteo et al.	358	107	
	A4	4,722,056	01-26-88	Roberts et al.	364	413	
	A5	4,869,247	09-26-89	Howard, III et al.	128	303.1	
	A6	4,923,459	05-08-90	Nambu	606	130	
	A7	4,945,914	08-07-90	Allen	128	653R	
	A8	4,951,653	08-28-90	Fry et al.	128	24A	
	A9	4,991,579	02-12-91	Allen	128	653R	
	A10	5,016,639	05-21-91	Allen	128	653R	
	A11	5,094,241	03-10-92	Allen	128	653.1	
	A12	5,097,839	03-24-92	Allen	128	653.1	
	A13	5,119,817	06-09-92	Allen	128	653.1	
	A14	5,142,930	09-01-92	Allen et al.	74	469	
	A15	5,178,164	01-12-93	Allen	128	898	
	A16	5,186,174	02-16-93	Schlondorff et al.	128	653.1	
	A17	5,198,877	03-30-93	Schulz	356	375	
	A18	5,211,164	05-18-93	Allen	128	653.1	
	A19	5,222,499	06-29-93	Allen et al.	128	653.1	
	A20	5,230,338	07-27-93	Allen et al.	128	653	

EXAMINER	DATE CONSIDERED

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Applicant(s): Malackowski et al.	

	A21	5,309,101	05-03-94	Kim et al.	324	309	
	A22	5,383,454	01-24-95	Bucholz	128	653.1	
	A23	5,394,875	03-07-95	Lewis et al.	128	660.09	
	A24	5,397,329	03-14-95	Allen et al.	606	73	
	A25	5,494,034	02-27-96	Schlondorff et al.	128	653.1	
	A26	5,515,160	05-07-96	Schulz et al.	356	241	
	A27	5,551,429	09-03-96	Fitzpatrick et al.	128	653.1	
	A28	5,575,794	11-19-96	Walus et al.	606	116	
	A29	5,590,215	12-31-96	Allen	382	128	
	A30	5,595,193	01-21-97	Walus et al.	128	898	
	A31	5,617,857	04-08-97	Chader et al.	128	653.1	
	A32	5,622,170	04-22-97	Schulz	128	653.1	
	A33	5,638,819	06-17-97	Manwaring et al.	128	653.1	
	A34	5,695,501	12-09-97	Carol et al.	606	130	
	A35	5,704,897	01-06-98	Truppe	600	117	
	A36	5,711,299	01-27-98	Manwaring et al.	128	653.1	
	A37	5,730,130	03-24-98	Fitzpatrick et al.	128	653.1	
	A38	5,752,513	05-19-98	Acker et al.	128	653.1	
	A39	5,769,789	06-23-98	Wang et al.	600	414	
	A40	5,797,924	08-25-98	Schulte et al.	606	130	
	A41	5,799,099	08-25-98	Wang et al.	382	131	
	A42	5,851,183	12-22-98	Bucholz	600	425	
	A43	5,871,445	02-16-99	Bucholz	600	407	

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Atty. Docket No.	Serial No.
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Applicant(s): Malackowski et al.	

	A44	5,891,157	04-06-99	Day et al.	606	130	
	A45	5,891,034	04-06-99	Bucholz	600	426	
	A46	5,907,395	05-25-99	Schulz et al.	356	139.03	
	A47	5,916,164	06-29-99	Fitzpatrick et al.	600	426	
	A48	5,921,992	07-13-99	Costales et al.	606	130	
	A49	5,954,648	09-21-99	Van Der Brug	600	411	
	A50	5,970,499	10-19-99	Smith et al.	707	104	
	A51	5,987,349	11-16-99	Schulz	600	427	
	A52	6,073,044	06-06-00	Fitzpatrick et al.	600	426	
	A53	6,081,336	06-27-00	Messner et al.	356	375	
	A54	6,112,113	08-29-00	Van Der Brug et al.	600	427	
	A55	6,453,190	09-17-02	Acker et al.	600	424	

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*Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Translation Yes	Translation No
	B1	WO 00/39576	06.07.00					
	B2	326768	09.08.89	EPO	A61B	19/00		
	B3	3267054	27.11.91	JP	A61B	19/00	Abstract Only	
	B4	3904595	19.4.90	DE	A61B	19/00		
	B5	6282889	7.10.94	JP	G11B	11/10		
	B6	6282890	7.10.94	JP	G11B	11/10	Abstract Only	
	B7	WO 90/05494	31.5.90	PCT	A61B	17/22	Abstract Only	

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	C1	Birkfellner et al., "Evaluation and Detection of Systematic Distortions in DC-pulsed Electromagnetic Position Sensing Devices," *Elsevier Science B.V.*, 1998, pp. 927-928
	C2	Birkfellner et al., "Systematic Distortions in Magnetic Position Digitizers," *Med. Phys. 25 (11)*, pp. 2242-2248 (November 1998)
	C3	Livingston et al., "Magnetic Tracker Calibration for Improved Augmented Reality Registration," *Presence*, Vol. 6, No. 5, pp. 532-546 (October 1997)
	C4	State et al., "Superior Augmented Reality Registration by Integrating Landmark Tracking and Magnetic Tracking," Proceedings of SIGGRAPH 96 (New Orleans, LA, Aug. 4-9, 1996). In *Computer Graphics* Proceedings, Annual Conference Series, pp. 429-438
	C5	Birkfellner et al., "Calibration of Tracking Systems in a Surgical Environment," *IEEE Tansactions on Medical Imaging*, November 17, 1998, pp. 1-6
	C6	Birkfellner et al., "Evaluation of Magnetic Position Digitizers for Computer Assisted Surgery," *Comput. Aided Surg.* 2(3/4), 225 (1997).
	C7	International Search Report dated 15 August 2001, Int'l. Appl. No. PCT/US01/02166.
	C8	PCT Written Opinion, Appl. No. PCT/US01/02166, dated January 2, 2002.
	C9	Applied Neurophysiology, Journal of Stereotactic and Functional Neurosurgery, Proceedings of the Meeting of the American Society for Stereotactic and Functional Neurosurgery, Montreal, Quebec, (June 3-6, 1987) January 1998.
	C10	Stereotactic & Functional Neurosurgery Vol. 53, No. 3, (1989) pages 197-201
	C11	Journal of Ultrasound in Medicine Vol. 9, No. 9, (Sep 90), pages 525-532
	C12	Ultrasound in Neurosurgery J.M. Rubin et al. ISBN: 0881675490, pages 47-58
	C13	Stereotactic & Functional Neurosurgery Vol. 54-55, (1990), Pages 419, 422, 423, 471-476, 482-487, 488-492, 493-496, 497, 498, 500
	C14	British Journal of Neurosurgery Vol. 4, No. 3, (1990), pages 193-197
	C15	IEEE Computer Graphics & Applications Vol. 3, No. 10, (May 90), pages 43-51
	C16	Journal of Neurosurgery Vol 72, No. 2, (Feb 90), pages 355a
	C17	IEEE Engineering in Medicine & Biology Society – Proceedings of 11th Annual International Conference, (1989), pages 925, 926-9
	C18	British Journal of Neurosurgery Vol. 3, No. 5, (1989), pages 561-568, 569-574
	C19	British Journal of Neurosurgery Vol. 3, No. 3, (1989), pages 327-331
	C20	Acta Neurochirurgica Supplementum 46, (1989), pages 112-114

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Sheet 5 of 5	Applicant(s): Malackowski et al.	

	C21	Journal of Neurosurgery Vol. 65, No. 4, (Oct 86), pages 550-554, 557-559
	C22	Journal of Neurosurgery Vol. 57, No. 2, (Aug 82), pages 157-163
	C23	Neurosurgery Vol. 10, No. 5, (May 82), pages 580-586
	C24	Neurosurgery Vol. 10, (March 82), pages 375-379
	C25	Guided Brain Operations E.A. Spiegel ISBN: 3805534515, (1982), pages 23, 25, 28
	C26	American Journal of Neuroradiology Vol. 2, No. 2 (Mar/Apr 81), pages 181-184
	C27	Neurosurgery Vol. 8, No. 1 (Jan 81), pages 72-82
	C28	Surgical Neurology Vol. 14, No. 6, (Dec 80), pages 451-464
	C29	Investigative Radiology Vol. 15, No. 4, (Jul/Aug 80), pages 308-312
	C30	Applied Neurophysiology Vol. 43, No. 3-5, (1980), pages 170-171, 172-173, 174-175
	C31	Neurosurgery Vol. 3, No. 2, (Sept/Oct 78), pages 157-161

EXAMINER /John Leubecker/	DATE CONSIDERED 09/28/2008

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